

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 914 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE B.C.PATEL
and
Hon'ble MR.JUSTICE C.K.BUCH

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

ROBERT P MINAZ

Versus

STATE OF GUJARAT

Appearance:

PARTY-IN-PERSON for Petitioner
MR SN SHELAT, ADDL AGP FOR M/S PATEL ADVOCATES
for Respondent No. 1
NOTICE SERVED for Respondent No. 2
MR ANANT S.DAVE for - (N) for Respondent No. 3

CORAM : MR.JUSTICE B.C.PATEL
and
MR.JUSTICE C.K.BUCH

Date of decision: 16/08/2000

ORAL JUDGEMENT (PER : B.C. PATEL, J)

Rule. Mr. S.N.Shelat, learned Addl.Advocate General appears and waives service of Rule for respondent nos. 1 & 2 and learned Addl.Standing Counsel Mr. Anant.S.Dave for respondent no.3. With the consent of the learned advocates, matter is taken up for hearing today.

We have heard learned Addl. Advocate General Mr. S.N.Shelat in the matter. The petitioner has challenged the order made by the Central Administrative Tribunal on 25.1.2000, copy of which is placed on record at Annex.V, in C.P.No.86/99 in O.A.No. 765/98. It seems that the grievance of the petitioner is that the Tribunal, while rejecting the application, has imposed costs of Rs.1000/ (Rs. One thousand only) to the original respondents. Thus, the petitioner was directed to pay costs as the petitioner before the Tribunal. State is not kin to recover the amount of costs.

In this view of these facts, we quash and set aside the impugned order dated 25.1.2000 passed by the Central Administrative Tribunal in C.P.No.86/99 in O.A. No. 765/98. Petition stands allowed accordingly. Rule is made absolute. No costs. We hope that there will be no further litigation by either side.

16.8.2000 [B.C. PATEL, J]

[C.K. BUCH, J]

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